

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE MS. JUSTICE J.UMA DEVI

WRIT PETITION NO.36805 of 2017

ORDER: (per SK,J)

The prayer of the petitioner in this writ petition reads as under:

'For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondent Bank in not receiving the amount for release of Item No.5 of E-Auction Sale Notice dated 04-09-2017 as bad, arbitrary and in violation of Articles 14, 19 and 21 of Constitution of India and all Canons of Law and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.'

Sri Maruthi Jadhav, learned counsel representing Sri B.S.Prasad, learned counsel for the State Bank of India, states that pursuant to the e-auction sale notice dated 04.09.2017, the auction of the fifth item therein was held on 25.09.2017 and after completion of due formalities, the sale certificate was issued on 05.10.2017 and registered on 07.10.2017.

In that view of the matter, the prayer of the petitioner to receive amounts from him for release of the fifth item in the e-auction sale notice dated 04.09.2017 does not survive for consideration.

The writ petition is accordingly dismissed on this short ground leaving it open to the petitioner to avail appropriate remedies in accordance with law.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

SANJAY KUMAR,J

J.UMA DEVI,J

Date:03.11.2017

GJ